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AUG 10 2005

Clerk, U. S. Dist. Court
W. Dist. of N. C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

PCA NATIONAL LLC and PCA LLC,

Plaintiffs,

v.

AVERY G. MABE and DANIEL S. HETH,

Defendants.

Civil Action No. 3:04CV269

ORDER

This matter having come before the Court upon Defendants Avery G. Mabe's, and Daniel S. Heth's Motion for Consent to Appear at Mediated Settlement Conference through Telephone Communications, and it appearing that good cause exists to grant the motion;

IT IS THEREFORE ORDERED that defendants Avery G. Mabe and Daniel S. Heth may appear at the initial session of the mediated settlement conference in this matter through telephone communications, but should the parties fail to resolve the matter at the initial session of the mediated settlement conference, prior to impasse being declared, defendants shall appear physically for a final session of the mediated settlement conference.

This the 12th day of August, 2005.



Honorable Carl Horn III